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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5397/2019**

RAJ KUMAR Petitioner

Through: Counsel (name not given)

versus

THE STATE (NCT OF DELHI) & ANR Respondents

Through: Mr. Mukesh Kumar, APP

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **21.10.2019**

Crl.M.A.34179/2019 (for exemption)

Allowed, subject to all just exceptions. Application stands disposed of.

CRL.M.C. 5397/2019

1. Issue notice.
2. Notice is accepted by the learned APP for the State and by respondent No.2, who is present in Court.
3. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0449/2017, under Sections 323/325/341/354B/506/509 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Seema Puri, Delhi and the proceedings emanating therefrom.
4. The petitioner and his counsel as well as respondent No.2 submitted that the parties have settled their disputes on their own free will, without any force or coercion before the Delhi

Mediation Centre, Karkardooma Courts, Delhi on 15.12.2018.

5. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since the petitioner has tendered unconditional apology to her and the matter stands settled, she has no objection to the petition being allowed and the FIR being quashed.

6. Learned counsel for the petitioner submitted that the petitioner is ready and willing to contribute a sum of Rs.10,000/- for some social beneficial cause and deposit the same in any trust or association.

7. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner as well as respondent No.2 and has also verified the settlement. The IO submitted that no other case is pending against the petitioner.

8. In view of the aforesaid circumstances, the settlement arrived at between the parties and taking into consideration the age and socio-economic background of the petitioner, I deem it appropriate to give him a chance to reform and reintegrate into the society as a productive member. The petitioner is warned to be careful in future and to not indulge in such activities again. Taking into consideration the remorseful attitude of the petitioner, this Court is also of the view that no fruitful purpose would be served in keeping the parties entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No. 0449/2017, under Sections 323/325/341/354B/506/509 of the

IPC, registered at P.S.: Seema Puri, Delhi and the proceedings emanating therefrom are quashed subject to cost of Rs.10,000/- to be paid by the petitioner within two weeks, out of which Rs.5,000/- in the Delhi High Court Advocates' Welfare Trust, and Rs.5,000/- in the Delhi High Court Staff Welfare Fund SB A/c No.15530110074442 UCO Bank, Delhi High Court and receipts of the deposits be filed in the Registry within 21 days. Copy of the receipts shall also be handed over to the APP through the I.O. within 21 days. In case the petitioner fails to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

9. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

OCTOBER 21, 2019

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